

III. REMARKS

Claims 1-55 are pending in this application. By this amendment, claims 1, 5, 13, 17, 25, 29, 39, 43 and 52 have been amended. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-9, 11-21, 23-33, 35-47, 49-52, 54 and 55 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Gerace (U.S. Patent No. 5,848,396), hereafter "Gerace." Claims 10, 22, 34 and 48 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Gerace in view of Petty (U.S. Patent No. 6,342,907), hereafter "Petty." Claim 53 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Gerace. Applicants respectfully traverse the rejections.

A. REJECTION OF CLAIMS 1-9, 11-21, 23-33, 35-47, 49-52, 54 AND 55 UNDER 35 U.S.C. §102(b)

With regard to the 35 U.S.C. §102(b) rejection over Gerace, Applicants assert that Gerace does not teach each and every feature of the claimed invention. For example, with respect to independent claims 1, 13, 25 and 39, Applicants submit that Gerace fails to teach a marketing page element placed on the web page. The invention in Gerace displays agate information such as stock quotes, sports scores and statistics, and weather. Col. 4, lines 1-11. The Gerace invention then records the user's browsing selections and uses the recorded information to determine what information and advertisements to forward to the user. Col. 4, lines 12-36. In

performing its task, Gerace uses several components, including an agate data assembly, which stores the various agate information for user viewing; a user profiling member, which records information regarding each user, such as the user's identification and categories of interest; and an advertisement module, which holds sponsor information and their advertisements and a target audience profile indicated for each advertisement. Col. 4, lines 37-47. Each of these components may have its own components as illustrated in FIG. 3A of Gerace. However, nowhere does Gerace teach that any of these components are for placing on a web page. In contrast, the present invention includes "...a marketing page element placed on the web page." Claim 1. The unique placement of the marketing page element on the web page, among other things, allows for the effective separation of tasks relating to the design of the web page and those relating to the design of a means for implementing a marketing strategy to determine what marketing content should be presented on that web page. This is in sharp contrast with the components in Gerace, in which the components are not taught to be for placing on a web page. Thus, the marketing page element as included in the present invention is not equivalent to the components of Gerace. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With respect to dependent claims 5, 17, 29 and 43, Applicants respectfully submit that Gerace also fails to teach selecting of data items is based on a combination of information displayed on the web page and information pertaining to the person viewing the web page. As stated above, Gerace records a user's browsing selections while a user is browsing agate information on its web site. Col. 4, lines 12-29. Gerace then uses this information, which it calls a psychographic profile, along with a demographic profile comprised of information previously

entered by the user, to determine which information and advertisements to forward to the user. Col. 2, lines 14-15, 30-34. However, nowhere does Gerace teach that the information currently displayed on the web page is taken into account. The present invention, in contrast, includes "...selecting of data items in step (a) is based on a combination of information displayed on the web page and information pertaining to the person viewing the web page." Claim 17. As such, in the current invention, data items may be selected based not only on psychographic and demographic profiles as in Gerace, but also, *inter alia*, on the information displayed on the web page. For the above reasons, the psychographic and demographic profiles in Gerace are not equivalent to the selecting of data items based on a combination of information displayed on the web page and information pertaining to the person viewing the web page. Accordingly, Applicants request that the rejection be withdrawn.

With respect to dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

B. REJECTION OF CLAIMS 10, 22, 34, 48 and 53 UNDER 35 U.S.C. §103(a)

With regard to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Applicants submit that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these


rejections individually, but reserve the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejections.

IV. CONCLUSION

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

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Ronald A. D'Alessandro
Reg. No.: 42,456

Hoffman, Warnick & D'Alessandro LLC
Three E-Comm Square
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)